

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:07-CR-00055-F-1  
No. 7:12-CV-00013-F

STANLEY KINTA SCOTT, )  
Petitioner, )  
 )  
v. ) ORDER  
 )  
UNITED STATES OF AMERICA, )  
Respondent. )

This matter is before the court on Stanley Kinta Scott's Motion to Withdraw § 2255 Petition (Without Prejudice) [DE-48] his Motion to Vacate, Set Aside, or Correct Sentence filed pursuant to 28 U.S.C. § 2255 [DE-29].

A review of the record reveals that Scott filed his § 2255 [DE-29] on January 13, 2012. The undersigned entered an order [DE-31] directing the Government to file an Answer, or to make such other response as appropriate. On February 19, 2012, the Government filed a Response [DE-38] to Scott's § 2255 motion, and thereafter, Scott filed a Reply [DE-39]. Scott filed the instant Motion to Withdraw [DE-48] on March 27, 2013.

Under this court's Local Rules, the Government had twenty-one (21) days to object to Scott's Motion to Withdraw. The Government did not file an objection. Accordingly, it is ordered that Scott's unopposed Motion to Withdraw § 2255 Petition (Without Prejudice) [DE-48] is ALLOWED, and Scott's § 2255 motion [DE-29] is DISMISSED without prejudice.

SO ORDERED.

This the 9<sup>th</sup> day of May, 2013.

  
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James C. Fox  
Senior United States District Judge